

UNITED STATES DISTRICT COURT

for the

Middle District of Pennsylvania

United States of America)

v.)

KAREEM A. MONTGOMERY)

Case No: 1:CR-01-268-01

USM No: 10822-067

Date of Previous Judgment: January 13, 2005)

Thomas A. Thornton, Esq.

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 131 months is reduced to 105 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 37Amended Offense Level: 35Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: 235 to 293 monthsAmended Guideline Range: 188 to 235 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

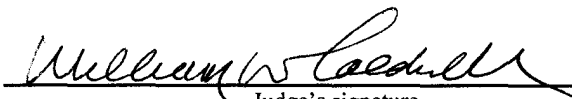
III. ADDITIONAL COMMENTS

This order disposes of docs. 38 and 40, Defendant's pro se motions to reduce his sentence, and doc. 41, his counseled motion.

Except as provided above, all provisions of the judgment dated Jan. 13, 2005 shall remain in effect.

IT IS SO ORDERED.

Order Date: May 21, 2008


Judge's signature

Effective Date: _____
(if different from order date)

William W. Caldwell, United States District Judge
Printed name and title

FILED
HARRISBURG, PA

MAY 21 2008

DEPUTY CLERK
Deputy Clerk